

HOUSE BILL 1646

By Mumpower

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 6, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-102(10)(B), is amended by deleting in its entirety such subdivision and by substituting instead the following:

(B) A sole proprietor or a partner who devotes full time to the proprietorship or partnership and elects either to be covered or not to be covered as an "employee" under the operation of the Workers' Compensation Law, as compiled in this chapter, shall file written notice thereof with the division at least thirty (30) days before the occurrence of any injury or death, and may at any time withdraw the election by giving notice of the change to the division.

SECTION 2. Tennessee Code Annotated, Section 50-6-113, is amended by deleting in its entirety subdivision (f)(1) and by substituting instead the following:

(1) Except as provided in subdivision (f)(4), any person engaged in the construction industry, including principal contractors, intermediate contractors, or subcontractors, shall be required to carry workers' compensation insurance. This requirement shall apply whether or not the person employs fewer than five (5) employees. Sole proprietors and partners shall not be required to carry workers' compensation insurance on themselves if they elect not to be covered pursuant to Section 50-6-102(10)(B). In addition, the provisions of this subsection shall not apply to any person building a dwelling or other structure, or performing maintenance, repairs, or making additions to structures, on the person's own property for the person's own use and for which the person receives no compensation.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.

